

REMARKS

Claims 1-18 are pending in the application. By this Amendment, Claims 1, 3, 10 and 12-18 are amended.

Applicant gratefully acknowledges that the Office action indicates that Claims 3 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Favorable reconsideration is respectfully requested in light of the following Remarks.

I. The Claims Satisfy the Requirements of 35 USC §112, Second Paragraph

1. The Office action rejects Claims 12-18 under 35 USC §112, second paragraph asserting that these claims are indefinite. The rejection is respectfully traversed.

By this Amendment, Claims 12-18 are amended to correct a typographical error and change the preamble to reflect that these claims are method claims, not article claims. Withdrawal of the rejection is respectfully requested.

2. The Office action rejects Claims 3 and 12 under 35 USC §112, second paragraph asserting that the term “fines” is unclear. The rejection is respectfully traversed.

It is respectfully submitted that the term “fines” is a well-known term in the art. According to the Merriam-Webster Dictionary, the term “fines” is defined as a finely crushed or powdered material, or very small particles in a mixture of various sizes. For the convenience of the Examiner, a definition of term “fines” according to the Merriam-Webster Dictionary is attached hereto. In the present invention, the term “fines” relates to the small particles or impurities in a carrier formed by particles obtained from one of a woody ring and a chaff ring of a corncob. Because the term “fines” is well-known in the art, Claims 3 and 12 satisfy the requirements of 35 USC §112, second paragraph and the rejection is misplaced. Withdrawal of the rejection is respectfully requested.

II. The Claims Define Patentable Subject Matter

1. The Office Action rejects Claims 1, 4, 10 and 13 under 35 USC 103(a) over Peiffer (U.S Patent No. 5,064,407, hereinafter “Peiffer”), Claims 5-9 and 14-18 under 35 USC

103(a) over Peiffer in view of Dickey (U.S. Patent No. 4,519,340, hereinafter "Dickey"), and Claims 2 and 11 under 35 USC 103(a) over Peiffer. The rejections are respectfully traversed.

By this Amendment, independent Claims 1 and 10 are amended to include the feature of a carrier having a moisture content below 10%, as recited in Claims 3 and 12, indicated as containing allowable subject matter.

For at least this reason, Claims 1 and 10 are allowable over the applied art, taken singly or in combination. Claims 2-9, which depend from Claim 1, and Claims 11-18, which depend from Claim 10, are likewise allowable over the applied art, taken singly or in combination. Withdrawal of the rejection is respectfully requested.

In addition, Claims 4 and 13 recited the feature that the particles of the carrier have a size ranging between 73 microns (0.0029 inches) and 841 microns (0.0331 inches). It should be noted that 73 microns corresponds to a #200 screen size, and 841 microns corresponds to a #20 screen size.

By contrast, Peiffer discloses a granular product having a screen size range between 0.0787 inches and 0.125 inches, which is much larger than the particle size of the claimed invention.

For at least this additional reason, Claims 4 and 13 are allowable over the applied art, taken singly or in combination. Withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Le believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 50-3145 in the name of Honigman Miller Schwartz and Cohn LLP.

Application No.: 10/642,920

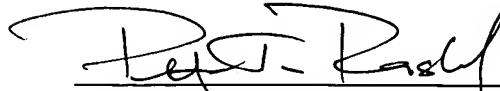
Docket No.: 209406-84004

Respectfully submitted,

Dated: November 16, 2004

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A handwritten signature in black ink, appearing to read "Peter J. Rashid", written over a horizontal line.

SIGNATURE OF PRACTITIONER

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Main Entry: **fines**

Pronunciation: 'fɪnz

Function: *noun plural*

Etymology: ³fine

: finely crushed or powdered material (as ore); *also* : very small particles in a mixture of various sizes

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